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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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12 JUDITH A. WHYTE,

13 Plaintiff,

No. CIV. S-02-2264-DFL-PAN-PS

14 v.

15 UNITED STATES DEPARTMENT OF  
16 VETERANS AFFAIRS, et al.,

ORDER

17 Defendants.  
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19 This matter was referred to the Honorable Peter A.  
20 Nowinski, United States Magistrate Judge, pursuant to 28 U.S.C.  
21 §§ 636, et seq., and Local Rule 72-302. On May 19, 2005, Judge  
22 Nowinski recommended that plaintiff's motion for summary judgment  
23 be denied and this action be dismissed. No objections to the  
24 findings and recommendation have been filed.

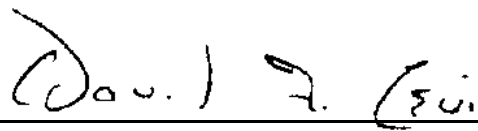
25 The court has reviewed the file and finds the findings  
26 and recommendations to be supported by the record and by the

1 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED  
2 that:

3 1. The Findings and Recommendations filed May 19,  
4 2005, are adopted in full; and

5 2. Plaintiff's motion for summary judgment is denied  
6 and this action is dismissed pursuant to Fed. R. Civ. P. 41(b).

7 DATED: 7/22/2005

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10 DAVID F. LEVI  
11 United States District Judge  
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